

# Notice of Allowability

Application No.

10/650,628

Examiner

Michael J. Kyle

Applicant(s)

KIEFER ET AL.

Art Unit

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment after final of April 21, 2006.
2. ☒ The allowed claim(s) is/are 3-21, 24-29 and 32-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 5/4/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Timothy Flory on May 4, 2006.

3. The application has been amended as follows:

Please amend claim 7 as follows:

Claim 7 (Currently Amended) An automobile hinge for pivotably mounting a pivotable panel component to a vehicle body, said automobile hinge comprising:

a panel attachment plate adapted to be secured to a pivotable panel of a vehicle, said panel attachment plate comprising a stamped metallic plate;

a body attachment plate adapted to be secured to a vehicle body, said body attachment plate comprising a stamped metallic plate;

an intermediate member pivotably attached to said body attachment plate, said panel attachment plate being pivotably attached to said intermediate member, said intermediate member comprising a stamped metallic member having first and second portions arranged at an angle relative to one another, each of said first and second portions of said intermediate member having a generally U-shaped cross section along substantially an entire length thereof and each of said first and second portions comprising opposite sidewalls and a center flange extending

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between said opposite sidewalls, said intermediate member being pivotably attached to said body attachment plate at a junction of said first and second portions, said junction having opposite sidewalls that pivotally attach to said body attachment plate, said sidewalls of said first portion engaging said body attachment plate with said center flange of said first portion being spaced from said body attachment plate when said intermediate member is pivoted toward a first position where said first portion of said intermediate member is positioned generally along said body attachment plate, said intermediate member being securable in said first position relative to said body attachment plate; and

wherein said body attachment plate comprises a generally planar plate portion and ~~at least one raised flange extending along an edge portion of said plate portion, said raised flange extending generally vertically when said plate portion is generally horizontal, said raised flange including a portion that extends generally transverse to said edge portion to define a hinge portion for pivotally attaching said intermediate member to said body attachment plate~~ a pair of raised flanges along an edge region of said plate portion, said body attachment plate having a hinge portion, said hinge portion comprising a pair of opposed flanges extending generally transverse to said raised flanges, said raised flanges and said opposed flanges extending generally vertically when said plate portion is generally horizontal.

*Allowable Subject Matter*

4. The following is an examiner's statement of reasons for allowance: The prior art discloses a hinge and method of making a hinge comprising a panel attachment plate, a body

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attachment plate, and an intermediate member, where the intermediate member has first and second portions angled relative one another, and pivotably connected to the panel and body attachment plates (Wood). Additionally, the prior art discloses a hinge portion formed by a flange. Further, the prior art shows hinge elements that can be stamped (Lautenschlager). The prior art fails to show, in combination with all of the elements above, a pair of raised flanges on the body attachment plate along an edge region, and a hinge portion comprising a pair of opposed flanges extending generally traverse to the raised flanges.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

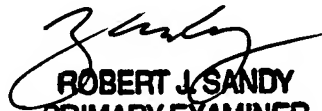
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Kyle whose telephone number is 571-272-7057. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mk

  
**ROBERT J. SANDY**  
**PRIMARY EXAMINER.**